

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRIAN LYNGAAS, D.D.S., individually and)
as the representative of a class of similarly-)
situated persons,) Case No. 17-cv-10910
Plaintiff,) Hon. Mark A. Goldsmith
v.)
CURADEN AG, and CURADEN USA INC.,) CLASS ACTION
Defendants.)

PLAINTIFF'S NOTICE OF APPEAL

NOTICE IS GIVEN that plaintiff, BRIAN LYNGAAS, D.D.S., individually and as representative of a certified class of similarly-situated persons (“Plaintiff”), hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Final Judgment made pursuant to Federal Rules of Civil Procedure 54(a) and 23(c)(3) entered and ordered on January 30, 2020. ECF 146.

Plaintiff also appeals the orders and decisions related to the Final Judgment including: (1) the November 21, 2019 post-trial findings of fact and conclusions of law (ECF 129); (2) the December 5, 2019 order regarding admissibility of deposition testimony (ECF 134); and (3) the January 30, 2020 opinion and order granting in part plaintiff's motion for judgment (ECF 145).

Plaintiff also appeals the district court's May 23, 2019 order granting in part Curaden AG's motion for summary judgment and denying Plaintiff's motion for summary judgment (ECF 89).

Respectfully submitted,

BRIAN LYNGAAS, D.D.S., individually and as the representative of a class of similarly-situated persons,

By: /s/Phillip A. Bock

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LOCAL RULE CERTIFICATION

I, attorney Phillip A. Bock, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts). Local Rule 7.1(d)(3).

/s/Phillip A. Bock

CERTIFICATE OF SERVICE

I hereby certify that, on February 28, 2020, I electronically filed the above document with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/ Phillip A. Bock
One of Plaintiff's attorneys